

INFORMATION FILED: 6-5-57, Dist. Mass., against Edward L. Doolan, t/a Raleigh Drug Co., Springfield, Mass., and Robert J. O'Neil (pharmacist).

CHARGE: Between 5-8-56 and 6-14-56, *Dexedrine Spansule capsules* (counts 1 and 7), *Gantrisin tablets* (counts 2 and 5), *secobarbital sodium capsules* (counts 3 and 6), and *Butazolidin tablets* (counts 4 and 8) were each dispensed twice upon requests for prescription refills without authorization by the prescriber.

PLEA: Guilty by Doolan to all counts of information and by O'Neil to counts 1, 3, 4, 5, and 8.

DISPOSITION: 10-7-57. Doolan fined \$1,000 and O'Neil \$200.

5426. (F.D.C. No. 40442. S. Nos. 62-462 M, 62-465 M, 62-480 M, 63-293 M.)

INFORMATION FILED: 10-3-57, E. Dist. N. Y., against Pincus Goldman, Brooklyn, N.Y.

CHARGE: Between 2-5-57 and 3-7-57, *Gantrisin tablets* and *Dexedrine Sulfate tablets* were each dispensed once upon request for prescription refills without authorization by the prescriber, and *AM Plus capsules* and *Banthine tablets* were each dispensed once without a prescription.

PLEA: Nolo contendere.

DISPOSITION: 11-5-57. \$400 fine.

5427. (F.D.C. No. 40425. S. Nos. 43-447/8 M, 44-526/7 M.)

INFORMATION FILED: 7-5-57, W. Dist. Ky., against Herschel G. Compton, t/a Rogers Rexall Drug Store, Barlow, Ky.

CHARGE: Between 3-22-57 and 3-29-57, *thyroid tablets*, *Dexedrine Sulfate tablets*, *Equanil tablets*, and *secobarbital sodium capsules* were each dispensed once without a prescription.

PLEA: Guilty.

DISPOSITION: 10-29-57. \$200 fine.

5428. (F.D.C. No. 35147. S. Nos. 2-527 L, 2-530 L, 2-548 L, 59-621 L, 59-624/5 L.)

INFORMATION FILED: 1-6-54, S. Dist. Fla., against Rutherford T. Carlisle, t/a Carlisle Drugs, Jacksonville, Fla.

CHARGE: Between 12-8-52 and 2-16-53, *dextro-amphetamine sulfate tablets* were dispensed twice (counts 1 and 2) and *thyroid tablets* were dispensed once (count 3) without a prescription, and *secobarbital sodium capsules* were dispensed twice (counts 4 and 5) and *pentobarbital sodium capsules* were dispensed once (count 6) upon request for a prescription refill without authorization by the prescriber.

DISPOSITION: On 1-27-54, the defendant entered a plea of not guilty. Thereafter, he filed a motion for discovery and inspection, a motion for return of seized property and suppression of evidence, a motion for bill of particulars, and a motion to dismiss. On 8-4-55, the court denied the motion for return of seized property and suppression of evidence; granted the motion for discovery, in part; granted the motion for bill of particulars, in part; and denied the motion to dismiss as to counts 1 through 3, and granted the motion to dismiss as to counts 4, 5, and 6, thereby dismissing those counts.

The defendant filed a motion for rehearing; and the Government filed a motion for rehearing and a motion for order clarifying the basis for the